IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 22015 of 2004

Between:

M/s. Rasani Srinivas Wood Works & Timber Depot, Jagannaikapur, Kakinada, rep by its Properietor,Rasani Srinivas, S/o. Late Sri Ramulu, Hindu, Male aged 42 years, (Saw Mill Business)R/o. Gogudanayyapeta, Jagnnaikpur, Kakinada, East Godavari District.

..... PETITIONER

AND

The Revenue Divisional Officer, Kakinada, East Godavari District

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the inaction on the part of the respondent in not issuing the certified copies of the proceedings applied for on 5-8-2004 or in the alternative not giving any endorsement to the effect that the patta was not cancelled in the proceedings asked for as illegal, arbitrary, capricious unjust and violative of principles of natural justice and consequently to direct the respondent to grant the certified copies of the proceedings applied for in the copy application dated 05-8-2004 or in the alternative to give an endorsement that no orders were passed canceling D. Form patta for Plot NO. 76 of Gogudanayyapet, Kakinada within the time fixed by this Hon'ble Court .

Counsel for the Petitioner: SMT.N. (P). ANJANA DEVI, SATYANARAYANA

Counsel for the Respondent No.: GP FOR REVENUE

The Court at the stage of admission made the following :

ORDER:

The present writ petition is filed questioning the action of the respondent in not issuing the certified copies of the proceedings applied on 5-8-2004.

The petitioner claims to have been assigned plot No. 76 on 17-7-1982 and a D-form patta was also issued to him to an extent of 3 cents. While so, the petitioner was issued with a show cause notice for cancellation of the D-form patta on the ground that the subject plot was purchased from one Savaram Subbarao. The petitioner contends that the Forest Department has cancelled the Saw Mill licence of the petitioner, on the ground that the patta of the plot in question was cancelled and the petitioner has made an application on 5-8-2004 to the respondent to issue certified copies of proceedings dated 23-4-2002, 18-1-2002 and cancellation of patta of subject plot, if any. Complaining that no action was taken thereon, the present writ petition is filed.

Heard the learned counsel for petitioner and learned Government Pleader for Revenue. Both counsel agreed for disposal of the writ petition at the stage of admission.

Since, the relief sought for by the petitioner is limited to the extent of furnishing certified copies, I deem it appropriate to dispose of the writ petition with a direction to the respondent to consider the application of the petitioner dated 5-8-2004 and if the petitioner is entitled to receive the certified copies in question, issue the same, subject to petitioner complying with the due procedure, if any.

Accordingly, the writ petition is disposed of at the stage of admission.

_____ N.V.RAMANA,J

1-12-2004

TVK

To

1 The Revenue Divisional Officer, Kakinada, East Godavari District

2.2CCs to G.P. for Revenue

2.2CD copies

*Form-NIC-OGS/WP{**RLD**}*

THE HON'BLE MR JUSTICE N.V. RAMANA

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